

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION**

# VERTIS WINDOM

**Plaintiff,**

**V.**

**THE GREAT AMERICAN HOME  
STORE, INC.,**

**Defendant.**

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**Civil Case No. 2:19-cv-02723**

**PLAINTIFF’S UNOPPOSED MOTION TO AMEND SCHEDULING ORDER  
AND  
TO RESCHEDULE THE TRIAL  
AND  
MEMORANDUM IN SUPPORT OF SAME**

Comes now Plaintiff Vertis Windom, by counsel, and moves the court to extend the discovery and motions deadlines in this case, as well as to reschedule the trial. In support of the motion counsel for Plaintiff would show unto the Court as follows:

1. Under the Amended Scheduling order, the parties were to complete discovery by February 28, 2023, and to file any dispositive motion by March 28, 2023. The court scheduled a jury trial for June 26, 2023.

2. Counsel for Plaintiff has had Covid-19 twice in the past year and a half causing extended bouts of severe fatigue and brain fog that would end for several weeks but then return. In mid-November 2022 counsel went for a month of extensive medical treatments at a clinic in Mumbai, India. Counsel began feeling better from those treatments and was even able to participate in two mediations via Zoom while there.

3. Although counsel felt renewed after returning to America after a full month of six day a week treatments, shortly after returning to full-time work he began to experience what has been

labeled as Covid long-hauler syndrome, which causes physical and cognitive exertion relapses and a return of the bouts of severe fatigue and brain fog. Counsel is currently under the care of five different medical specialists who had him undergo numerous different medical exams seeking to determine the causes of the conditions and the relapses.

4. Fortunately, in late March additional medical exams revealed major carotid artery blockages not previously shown on prior exams which required counsel to spend time in the hospital from April 3 through April 6 to remove blockages and for followup care in an Intensive Care Unit, and then several weeks of recovery time at home. Due to these continuing conditions and relapses, plus the unexpected time in the hospital and time at home in recovery, full recovery has been slow in coming and counsel was not been able to finish the discovery work on this case. Fortunately, two weeks ago a new medication was added to counsel's medical treatment plan by his doctors and his full energy and focus has been returning to normal since the beginning of this week.

For all of the foregoing reasons, counsel requests an extension of the deadline for the Completing All Discovery in this case to August 31, 2023, and an extension of the Motions Deadline to October 2, 2023. Counsel also requests the June 26, 2023, trial be continued to a later date.

Respectfully submitted,

NORWOOD & ASSOCIATES

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**CERTIFICATE OF CONSULTATION**

I hereby certify that I conferred with Kimberly Hodges, counsel for the Defendant, on this Motion and she indicated the Defendant does not oppose it.

/s/ Dan Norwood

**CERTIFICATE OF SERVICE**

I hereby certify that I have served a copy of the foregoing document electronically on counsel for defendant this 2<sup>nd</sup> day of June 2023.

/s/ Dan Norwood